

present legislation is almost totally ineffective -- need to be reformed. We would, therefore, encourage the speedy presentation and discussion of amendments to the Combines Investigation Act to address these issues." (page 137).

The Council also recommended action by the Provinces if test cases show that restrictions by professional groups cannot be dealt with under the Combines Investigation Act because of constitutional problems. The Council recommends:

"59 We recommend that if the Combines Investigation Act does not effectively address the professional restrictions limiting competition, provincial governments themselves undertake to prohibit unnecessary restrictions on the freedom of individual practitioners to set their own prices and disseminate information."

That recommendation is consistent with the view respecting the federal-provincial distribution of responsibility for competition policy which the Council expressed in its 1969 Interim Report on Competition Policy. At that time, in proposing a civil law basis for parts of competition law, the Council referred to the constitutional uncertainties. It proposed either an attempt to reach agreement with the provinces on a constitutional change or else to refer proposed legislation to the Supreme Court of Canada under the existing constitution. And the Council stated in its 1969 report:

"It could be that the prospects of success via either route would be enhanced if the federal government sought only to enact civil legislation in respect of goods and services affecting international and interprovincial trade... "

LAWSON HUNTER BECOMES NEW COMBINES DIRECTOR

The appointment of Lawson Hunter to succeed Robert Bertrand as Director of Investigation and Research, Combines Investigation Act, was announced on July 28, 1981.

Mr. Hunter, who is 36, received an LL.M. from Harvard in 1971 and joined the Department of Justice as a legal adviser in 1972. He served as Executive Assistant to the Deputy Minister, Department of Consumer and Corporate Affairs in 1973. From 1974 to 1977 he was Co-ordinator of Policy Development in the Bureau of Competition Policy. He then spent a year as

Special Assistant to the Deputy Minister of Justice. For the past three years he has been General Counsel and Director of Legal Services for the Department of Consumer and Corporate Affairs.

RTPC ISSUES FIRST ANNUAL REPORT

The Restrictive Trade Practices Commission will henceforth issue an annual report. Its first report, for the year ended March 31, 1981, was tabled in the House of Commons on July 15, 1981.

It was Consumer and Corporate Affairs Minister André Ouellet who suggested the issuance of an annual report even though it is not mandatory. In a letter to Chairman Stoner, he cited the broadened activities of the Commission as a result of the 1976 amendments to the Combines Investigation Act and the desirability of further enhancing public awareness of the issues before the Commission.

The first report describes the functions, organization and history of the Commission as well as its activities during the fiscal year. A feature of the annual reports will be the inclusion of the texts of RTPC decisions in respect of reviewable practices. The text of the Bombadier decision is in the first report.

REPORT ANALYSES POST-WAR CHANGES IN MANUFACTURING INDUSTRIES CONCENTRATION

A study¹ by Dr. R.S. Khemani, which was released in July 1981, measures and seeks to explain changes in levels of concentration from 1948 to 1972 in a sample of 57 Canadian manufacturing industries. The industries in the sample are those for which comparable data over the period could be obtained, and they accounted for about half of total manufacturing shipments and employment. Concentration was measured in terms of employment.

¹ Concentration in the Manufacturing Industries of Canada: Analysis of Post-War Changes. by R.S. Khemani, Research Monograph No. 8, Research Branch, Bureau of Competition Policy, Department of Consumer and Corporate Affairs, Ottawa, 1981.